



# A1 Ott

State Representative • 3rd Assembly District

**Assembly Bill 46**  
**World Dairy Center Authority Repeal**  
**Assembly Committee on Agriculture**  
**April 7, 2011**

Thank you for the opportunity to testify on Assembly Bill 46 (AB 46), relating to the repeal of the statutory reference to the World Dairy Center Authority.

1991 Wisconsin Act 16 – under Chapter 235 of the statutes – created the World Dairy Center Authority to establish a Wisconsin center for the national and international dairy industry. A copy of Chapter 235 is included with my testimony.

As I recall the history of this issue, when the current Department of Agriculture, Trade and Consumer Protection building was being constructed, the owner of the land envisioned creating a larger “World Dairy Center” on the surrounding land. He hoped to attract major dairy and agricultural businesses, breed associations, trade associations, etc. The World Dairy Center Authority was created as part of that development effort.

Unfortunately, the land owner was not able to receive commitments from some of the key players he had hoped to attract, which brought the development concept to a halt, and significantly minimized the need for a World Dairy Center Authority.

The World Dairy Center Authority has not been active in any way for many years. In the past, the Department of Agriculture, Trade and Consumer Protection has proposed that the Revisor of Statutes repeal the Authority. The Revisor’s office, however, never agreed to introduce language to repeal the Authority.

AB 46 repeals Chapter 235 and deletes other statutory language referencing the World Dairy Center Authority.

When I initially inquired about repealing these statutes, former World Dairy Expo General Manager Tom McKittrick, said the World Dairy Center Authority was, “a great idea that never became a reality.” Mr. McKittrick expressed no reservations regarding the deletion of this statutory language. Mark Clarke, current World Dairy Expo General Manager, agrees there is no reason to continue the World Dairy Center Authority.

The repeal of Chapter 235 and other statutory language referencing the World Dairy Center Authority is not expected to have any negative implications for the World Dairy Expo event held annually in Madison.

Repealing this language would simply remove an outdated section of the statutes, and eliminate the statutory requirement that the Governor and leadership in the Assembly and Senate make appointments to the Authority.

## CHAPTER 235

## WORLD DAIRY CENTER AUTHORITY

235.01 Definition.  
235.02 Creation and organization.235.03 Powers.  
235.04 Duties.

**235.01 Definition.** In this chapter, “authority” means the world dairy center authority.

**History:** 1991 a. 39.

**235.02 Creation and organization. (1) CREATION.** There is created a public body corporate and politic to be known as the “world dairy center authority”.

**(2) MEMBERS.** The authority consists of the following members:

(a) One public member appointed by the governor to serve a one-year term expiring on June 30 and to serve as chairperson of the authority.

(b) The president of the University of Wisconsin System, or the president’s designee.

(c) The secretary of agriculture, trade and consumer protection, or the secretary’s designee.

(d) The secretary of commerce, or the secretary’s designee.

(e) The county executive of Dane County, or the county executive’s designee.

(f) One member of each house of the legislature from the political party with the most members in that house, appointed as are members of standing committees.

(g) One member of each house of the legislature from the political party with the 2nd most members in that house, appointed as are members of standing committees.

(h) Twelve members appointed by the governor to serve 4-year terms expiring on June 30. Members appointed under this paragraph shall include all of the following:

1. One member to represent the greater Madison chamber of commerce.

2. Eleven members who are directors of the World Dairy Center Association, to represent resident members of the association.

(i) Two members who are directors of the World Dairy Center Association, appointed by the chairperson of the World Dairy Center Association to serve 4-year terms expiring on June 30, to represent nonresident members of the association.

**(3) RESIGNATION AND VACATION OF MEMBERSHIP.** Subject to the bylaws of the authority respecting resignations, each member of the authority shall hold office until a successor is appointed and qualified unless the member vacates or is removed from his or her office. A member who serves as a result of holding another office or position vacates his or her office as a member when he or she vacates the other office or position. A member who ceases to qualify for office vacates his or her office.

**(3m) COMPENSATION OF MEMBERS.** A member of the authority shall receive no compensation for services but shall be reimbursed for necessary expenses incurred in the discharge of the member’s duties.

**(4) EXECUTIVE DIRECTOR.** The governor shall appoint the executive director of the authority to serve a 2-year term expiring on June 30 of each odd-numbered year. The compensation of the executive director shall not exceed the maximum of the executive salary group range established under s. 20.923 (1) for positions assigned to executive salary group 2. The compensation of the

executive director may be funded by gifts or grants made to the authority.

**(5) MEETINGS AND DELEGATION.** (a) A majority of the membership of the authority constitutes a quorum to do business. A vacancy in the membership of the authority shall not impair the right of a quorum to exercise all of the rights and perform all of the duties of the authority. The authority may take action based on the vote of a majority of the members of the authority present, unless the bylaws of the authority require a larger number.

(b) The members of the authority may meet anywhere inside or outside the state. Notice of meetings shall be as provided in the bylaws of the authority.

(c) The authority may delegate by resolution to one or more of its members or its executive director any powers and duties that it considers proper.

**(6) LIMITED LIABILITY.** A cause of action may not arise against and a civil liability may not be imposed on a member or executive director of the authority for any act or omission in the performance of his or her powers and duties under this chapter, unless the person asserting liability proves that the act or omission constitutes willful misconduct.

**(7) TRAVEL; PURCHASING.** (a) The authority shall adhere to specifications prepared under s. 16.72 (2), if applicable to the product or service to be purchased.

(b) Members and employees of the authority are subject to uniform travel schedule amounts approved under s. 20.916 (8).

**History:** 1991 a. 39; 1993 a. 16; 1995 a. 27 s. 9116 (5).

**235.03 Powers.** The authority has all of the powers necessary or convenient to carry out its duties under s. 235.04, except that it may not acquire or hold title to real estate. In addition, the authority may:

(1) Adopt, amend and repeal bylaws.

(2) Adopt an official seal.

(3) Maintain an office.

(4) Sue and be sued.

(5) Accept a gift, grant, loan or other contribution from private or public sources.

(6) Execute contracts and other instruments.

(7) Employ any officers, agents and employees that it may require and determine their qualifications and compensation.

(8) Procure liability insurance.

**History:** 1991 a. 39; 1993 a. 16.

**235.04 Duties.** The authority shall do all of the following:

(1) Establish a center for the development of dairying in the United States and the world.

(2) Analyze worldwide trends in the dairy industry and recommend actions to be taken by this state to compete in the global dairy market.

(3) Coordinate access to commercial, technical and general dairy information.

(4) Promote Wisconsin and United States dairy cattle, technology, products and services in the global dairy market.

**235.04 WORLD DAIRY CENTER AUTHORITY**

(5) Develop new markets for dairy and dairy-related products.

(6) Cooperate with the department of agriculture, trade and consumer protection.

(7) Biennially, submit to the governor and the cochairpersons of the joint committee on finance a report of its operations, accom-

plishments, goals and objectives including an annual financial statement.

(8) Annually, submit to the governor and the cochairpersons of the joint committee on finance a statement of its financial condition.

History: 1991 a. 39; 1993 a. 16.